

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Claims 1-17 were pending in this application. In this Amendment, claims 1, 10, 11, 13, and 15-17 have been amended. Claims 3-5 and 12 have been canceled. Accordingly, upon entry of this Amendment, claims 1-2, 6-11, and 13-17 will be pending.

In the Office Action mailed April 16, 2007, claims 11 and 12 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,694,438 to Wang et al. ("Wang"). Claims 1, 2, 6-10, 13, and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wang in view of WO 00/70811 to Haartsen ("Haartsen"). Claims 3-5 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wang and Haartsen as applied to claim 1 and further in view of U.S. Patent No. 5,371,734 to Fischer ("Fischer"). Claim 16 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Wang in view of Haartsen and further in view of WO 95/34960 to Pandula ("Pandula"). Claim 17 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Wang in view of Haartsen, further in view of Pandula and further in view of Fischer.

To the extent that these rejections might still be applied to the pending claims, Applicants respectfully traverse the rejections for the reasons set forth below. Each ground of rejection is treated under a separate heading.

Rejection Of Claims 11 And 12 Under 35 U.S.C. § 102(b)

Claim 12 has been canceled, thereby rendering its rejection moot. Regarding claim 11, Applicants have amended claim 11 to recite at least one feature not disclosed, taught, or

suggested by Wang. In particular, amended claim 11 recites a method in which redundant transmission of data from a device occurs only if battery power exceeds a threshold, while redundant reception of data packets is preserved, even at low power. Applicants note that each of the independent claims 1, 10, 11, 13, and 15-17 has been amended to include features similar to the additional features recited in amended claim 11.

Amended claim 11, for example, recites a method for communicating data between a first device and a second device via a wireless frequency hopping digital communications link, comprising, among other steps, transmitting a first block of data from the first device to the second device during a first data frame period, where the first block of data has not been previously transmitted; transmitting a second block of data from the first device to the second device during the first data frame period, where the second block of data was also transmitted by the first device during the data frame period immediately preceding the first data frame period; transmitting a third block of data from the second device to the first device during the first data frame period, where the third block of data has not been previously transmitted; transmitting a fourth block of data from the second device to the first device during the first data frame period, where the fourth block of data was also transmitted by the second device during the data frame period immediately preceding the first data frame period, only if a battery level of the second device exceeds a predetermined threshold, wherein, even if the battery level of the second device does not exceed the predetermined threshold, the second device is configured to receive the second block of data in the first data frame period that was also transmitted by the first device during the data frame period immediately preceding the first data frame period.

Thus, the claimed invention operates to allow a second device to receive primary and redundant copies of data even when the battery power is low, while preventing transmission of redundant data copies from the second device if the battery power is low. This mechanism can be helpful, for example, in preserving the lifetime of a portable device while still increasing fidelity of reception at the portable device. Support for this amendment can be found, for example at the first full paragraph of page 14 of the specification. This feature is nowhere taught or suggested by Wang, which only discloses general features over frame structures for re-transmitting data packets. Accordingly, Applicants respectfully request that the rejection of claim 11 under 35 U.S.C. § 102(b) be withdrawn.

Rejection Of Claims 1, 2, 6-10, 13 And 14 Under 35 U.S.C. § 103(a)

The rejection of claims 1, 2, 6-10, 13, and 14 should be withdrawn because the cited art fails to teach or suggest the complete combination of features recited in the rejected claims, as currently amended. Similarly to claim 11 discussed above, independent claims 1, 10, and 13 have each been amended to recite a system or method in which redundant transmission of data from a device occurs only if battery power exceeds a threshold, while redundant reception of data packets is preserved, even at low power.

The cited portions of Wang and Haartsen fail to teach this feature. Nor has the Examiner suggested such a feature is disclosed in Wang or Haartsen. Thus, the combination of Wang and Haartsen must fail to render obvious claims 1, 10, and 13, as well as dependent claims 2, 6-9, and 14. Accordingly, Applicants respectfully request that their rejection be withdrawn.

Rejection Of Claims 3-5 And 15 Under 35 U.S.C. § 103(a)

Claims 3-5 have been canceled, thereby rendering their rejection moot. Regarding claim 15, Applicant has amended claim 15 to recite features that are neither taught nor suggested by the cited art. Like the other independent claims, claim 15 has been amended to recite a method in which redundant transmission of data occurs only if battery power exceeds a threshold, while redundant reception of data packets is preserved, even at low power. As noted above, Wang and Haartsen each fail to disclose this feature.

Although the cited portions of Fischer generally disclose powering down transceivers to preserve battery power (Summary of Invention), Fischer fails to disclose or suggest determining that the level of power remaining in the battery power source is below a predetermined threshold level; transmitting at least one data block within each frame from the first device to the second device, where each data block is transmitted only one time; and receiving, even if the battery power source of the first device is below the predetermined threshold, a fourth data block from the second device by the first device within each frame, the fourth data block containing data that was also transmitted from the second device to the first device during the preceding frame, as recited in amended claim 15. In other words, Fischer fails to disclose or suggest a protocol in which redundant transmission of data is halted while redundant reception of data is preserved when battery power is below a threshold.

Thus, the combination of Wang, Haartsen, and Fischer must fail to render obvious claim 15. Accordingly, Applicants respectfully request that the rejection of claim 15 be withdrawn.

Rejection Of Claim 16 Under 35 U.S.C. § 103(a)

Similarly to the other independent claims discussed above, independent claim 16 has been amended to recite a method in which redundant transmission of data from a device occurs only if battery power exceeds a threshold, while redundant reception of data packets is preserved, even at low power. Each of Wang, Haartsen, and Pandula fails to teach or suggest this feature. Nor has the Examiner suggested that any of these references teach such a feature. Thus, the combination of Wang, Haartsen, and Pandula must fail to render obvious claim 16. Accordingly, Applicants respectfully request that the rejection of claim 16 be withdrawn.

Rejection Of Claim 17 Under 35 U.S.C. § 103(a)

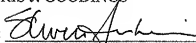
Similarly to the other independent claims discussed above, independent claim 17 has been amended to recite a method in which redundant transmission of data from a device occurs only if battery power exceeds a threshold, while redundant reception of data packets is preserved, even at low power. As noted above with respect to claims 15 and 16, each of Wang, Haartsen, Fischer, and Pandula fails to teach or suggest this feature. Thus, the combination of Wang, Haartsen, Fischer, and Pandula must fail to render obvious amended claim 17. Accordingly, Applicants respectfully request that the rejection of claim 17 be withdrawn.

In view of the foregoing, all of the claims pending in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone Applicant's undersigned representative at the number listed below.

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Respectfully submitted,
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